

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

03-CR-6095L

v.

ROBERT MC CULLOUGH,

Defendant.

By Order entered April 8, 2008 (Dkt. #30), this Court denied defendant's motion to reduce his sentence under provisions of 18 U.S.C. § 3582(c)(2). The Court determined that the defendant's sentence was not driven by the previously-existing Sentencing Guidelines.

Now, by letter dated March 3, 2010, which has been filed as a motion for reconsideration (Dkt. #31), defendant requests that the Court reconsider its sentence and impose a sentence at the lowest end of the existing Guideline range.

After considering all the matters, I see no reason to modify, change or reconsider my prior Decision of April 8, 2008 and, therefore, defendant's motion to reconsider is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
March 30, 2010.